

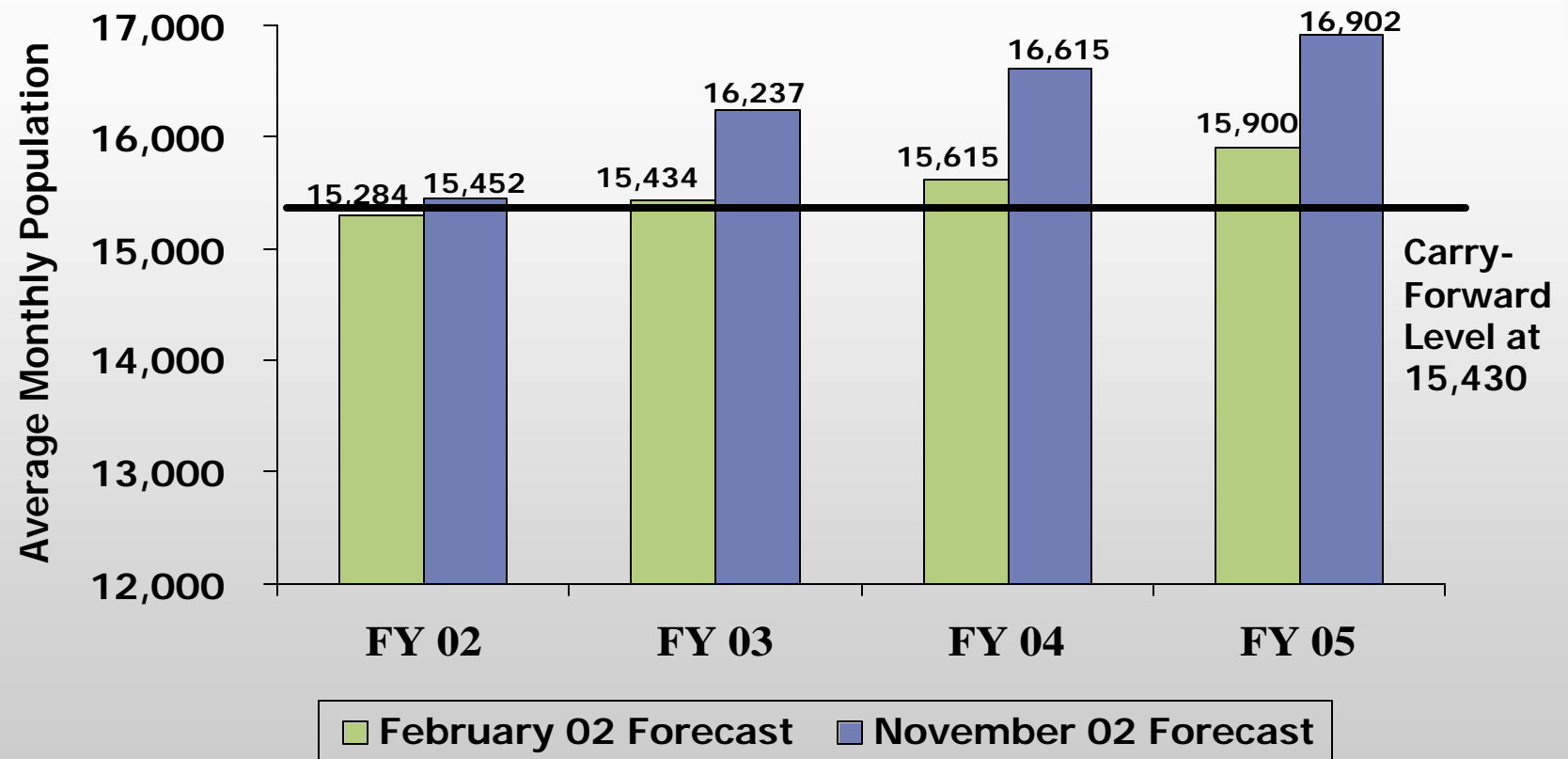
Sentencing and Supervision Population and Spending

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Senate Ways and Means
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Presentation Outline

- Adult Offenders: Department of Corrections
 - Population Forecasts
 - Spending Projections and Inmate Capacity
 - Sentencing and Supervision Policy Changes & Impacts
 - Governor's Policy Proposals
- Juvenile Rehabilitation Administration

The November 2002 inmate forecast is up over 1,000 from budgeted levels by the end of FY05

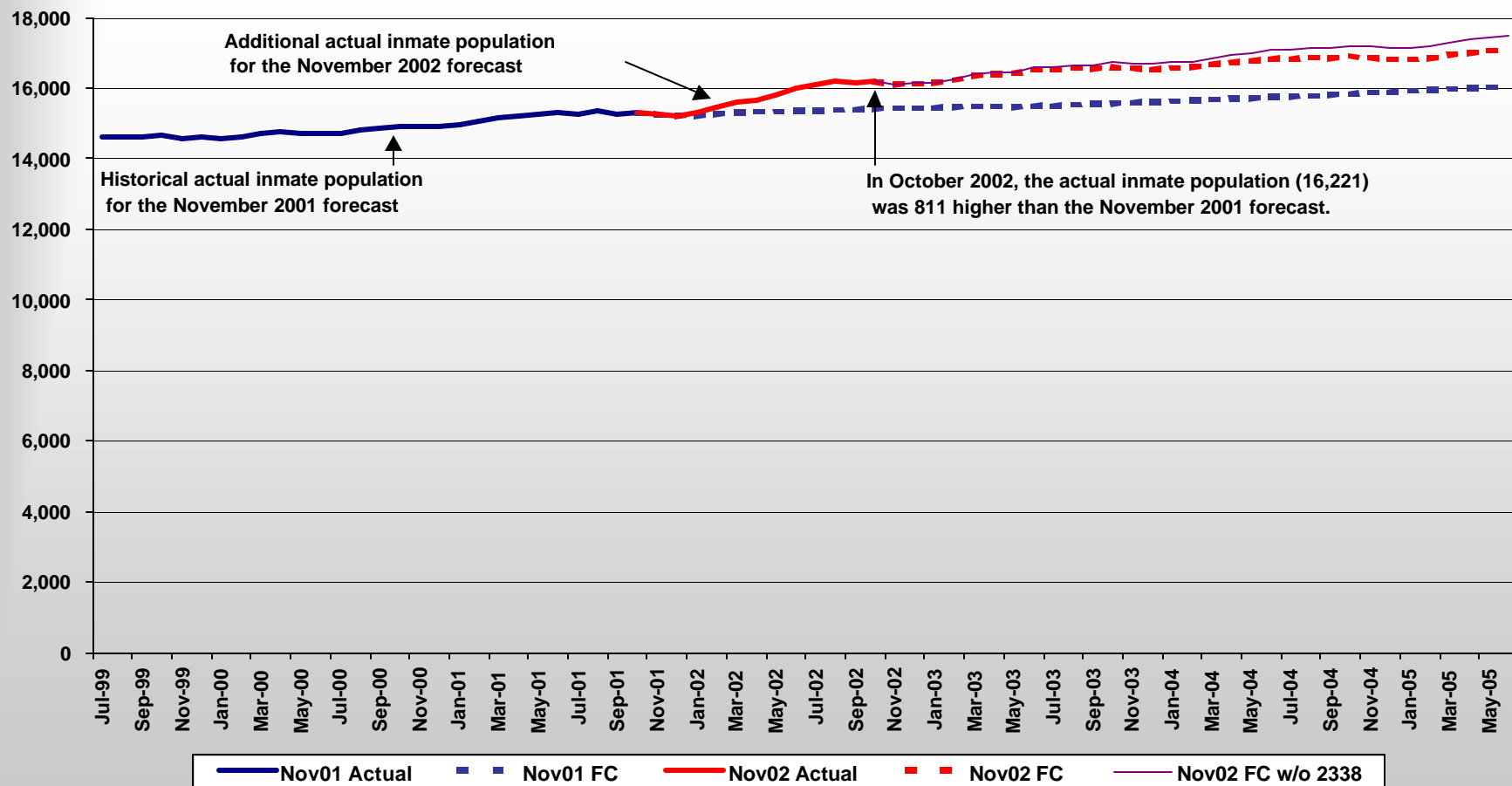


The reasons for the projected increase in the inmate population include:

Local Changes	Agency Changes	Legislative Changes
Increase in Admissions/ Convictions	Increase in DOSA Revocations	Motor Vehicle Theft (ESSB 6490) Financial Institutions Robbery (2SHB 2511)
Offender Accountability Act Costs (community custody violators)		
Reduction in the Use of Alternative Sanctions (Drug Offender Sentencing Alternative)		

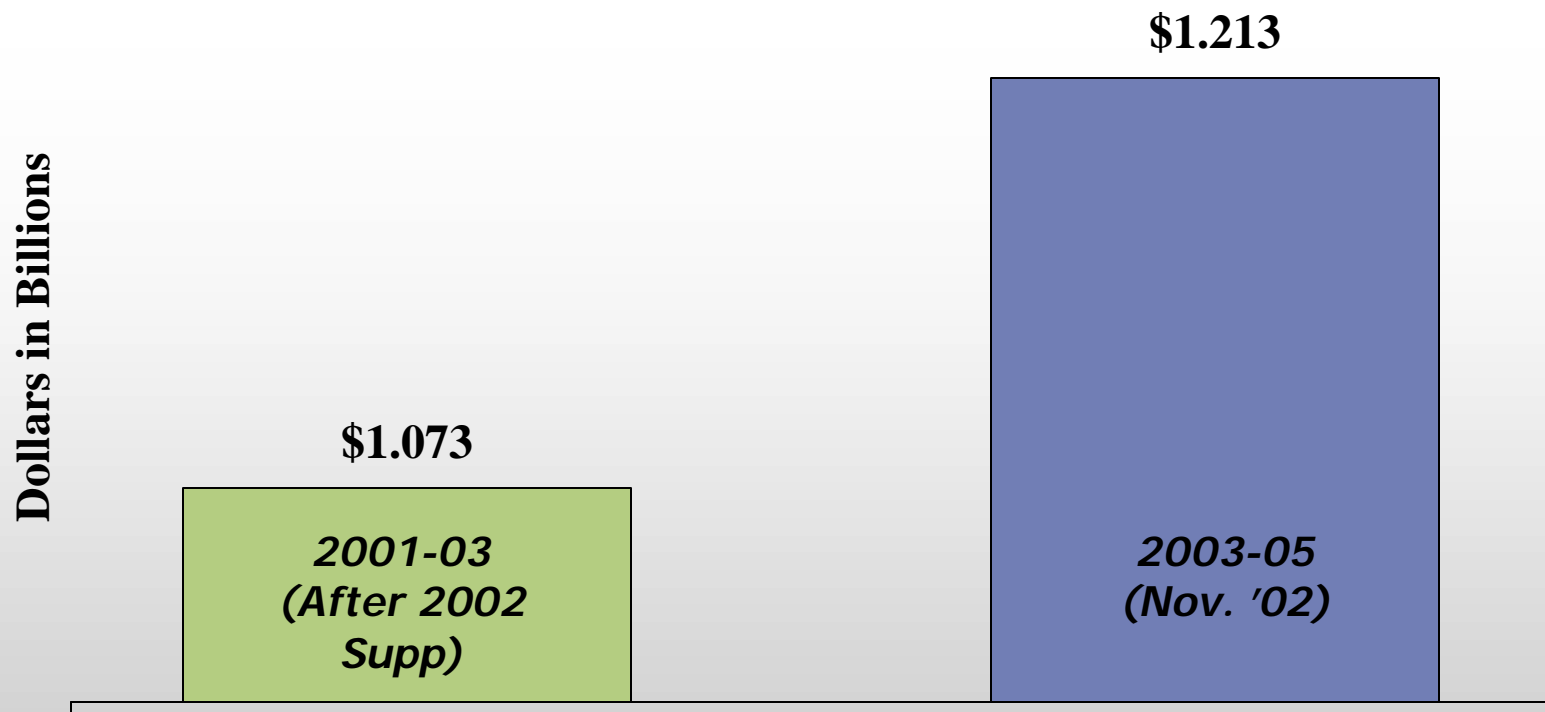
For FY 03, forecasted inmate growth is about five percent over budgeted levels.

November 2001 and 2002 Inmate Forecasts



Source: Caseload Forecast Council. The February 2002 forecast, used for budgeting, is not reflected on this graph.

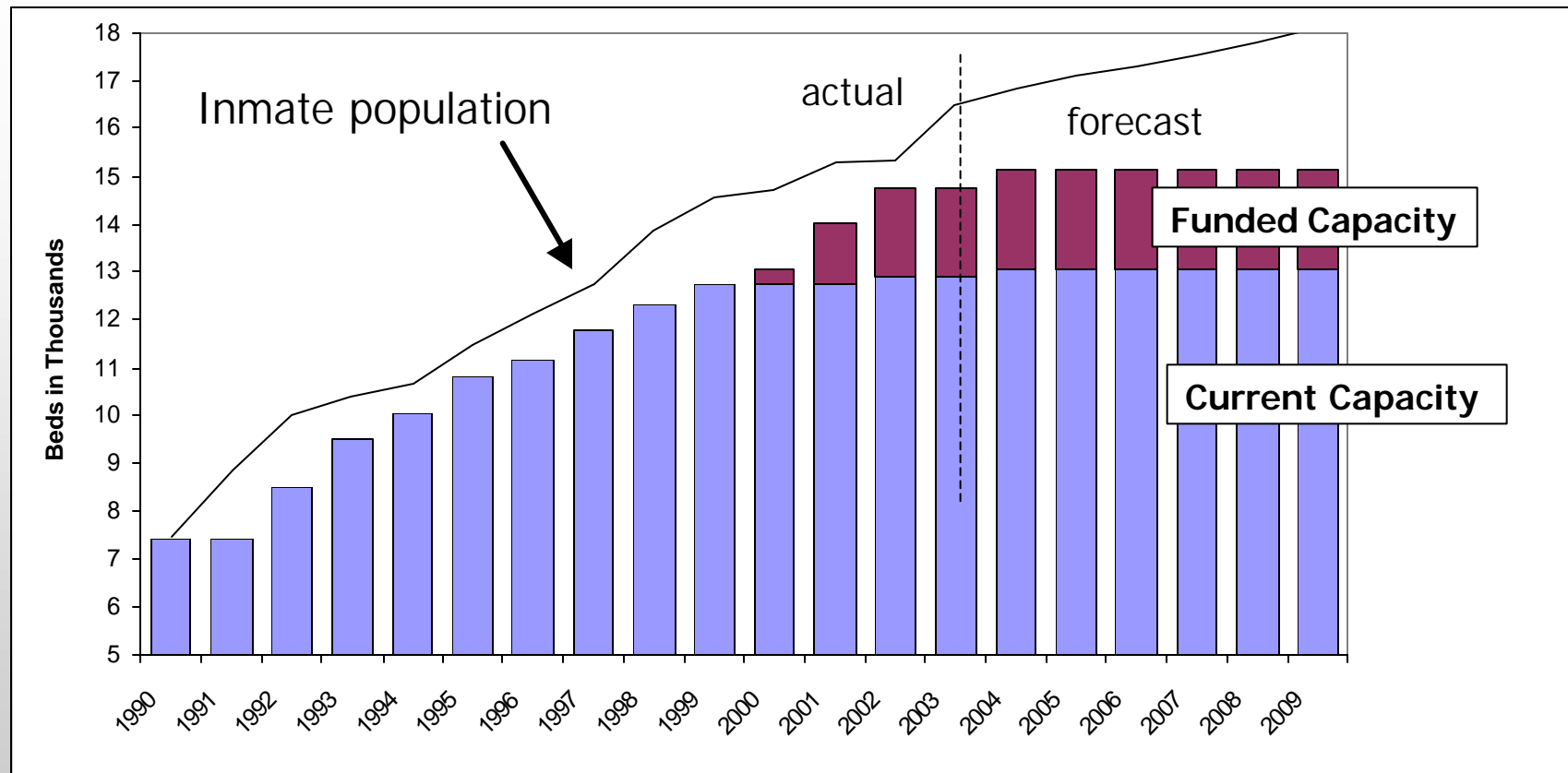
Due to the inmate population growth and other factors, the Governor's 2003-05 maintenance level budget adds over \$140 M in GF-S.



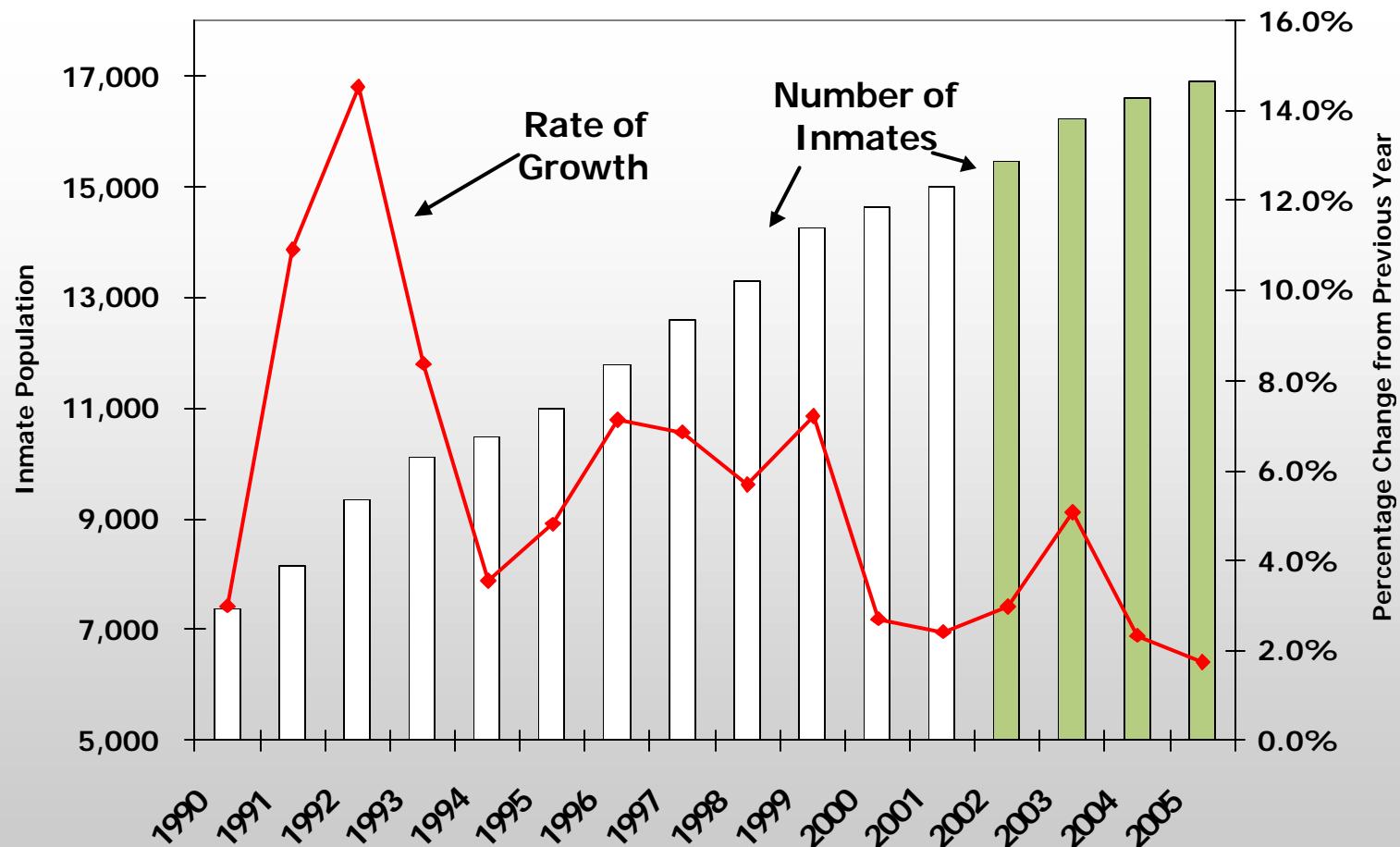
**2003-05 incorporates some increases that will likely be accommodated in the 2003 supplemental.*

Capital funding to increase capacity is also needed.

Population has outpaced demand for over a decade, & the gap is widening.

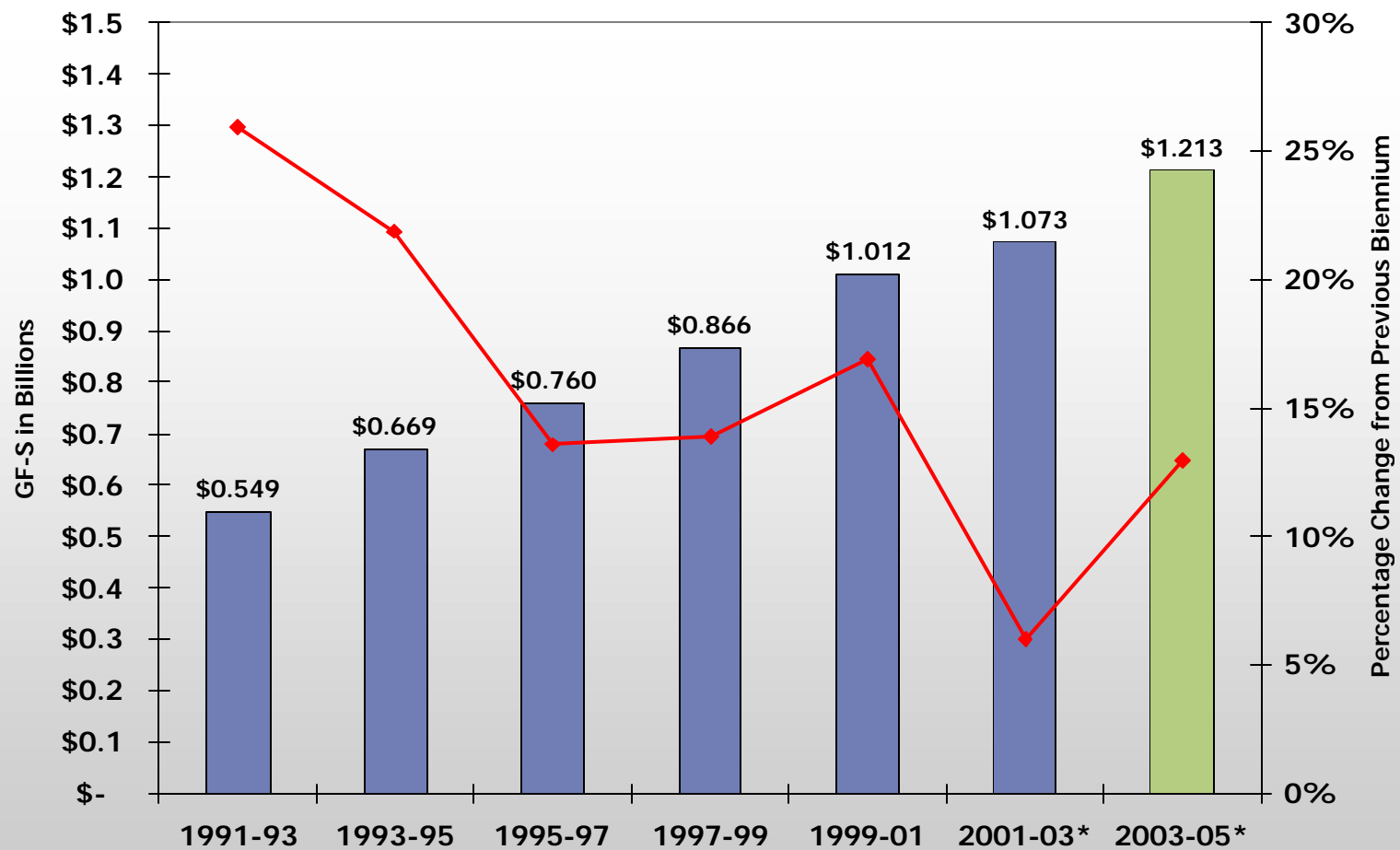


While the inmate population projection is up, the forecast still calls for a growth rate slower than the last decade.*



* One of the reasons for the slowing growth is the implementation of 2338 (drug offender sentencing). However, these savings do cause a revenue transfer out of the general fund of approximately \$8 million in the 2003-05 biennium.

This also means that corrections spending will continue to grow at about the slowest rate in the last decade.*



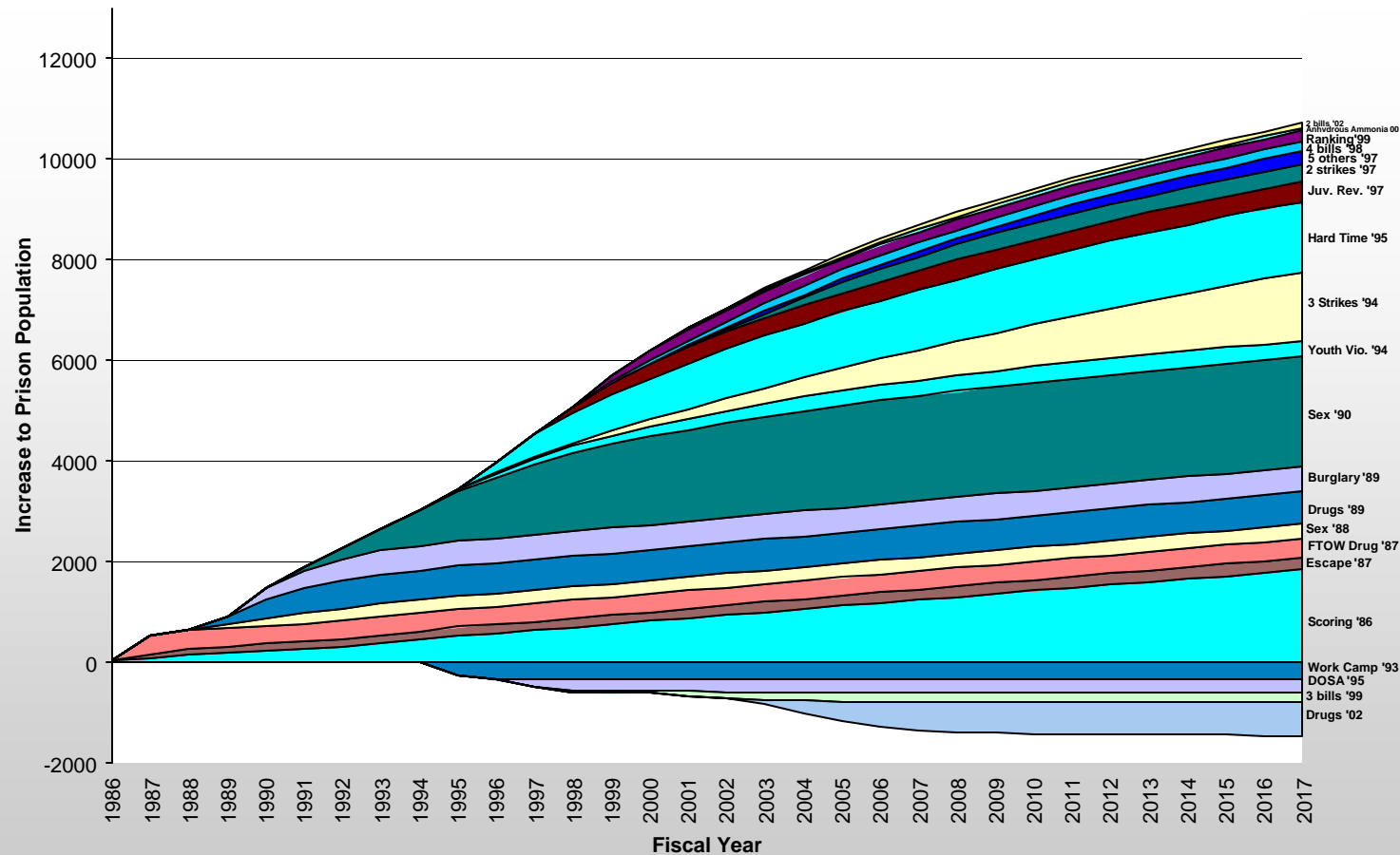
* The 2001-03 and 2003-05 biennia amounts do not include compensation related items.

* 2003-05 is the Governor's proposed maintenance level.

Sentencing Trends & Impacts

Sentencing policy changes, primarily increases, have been made nearly every legislative session.

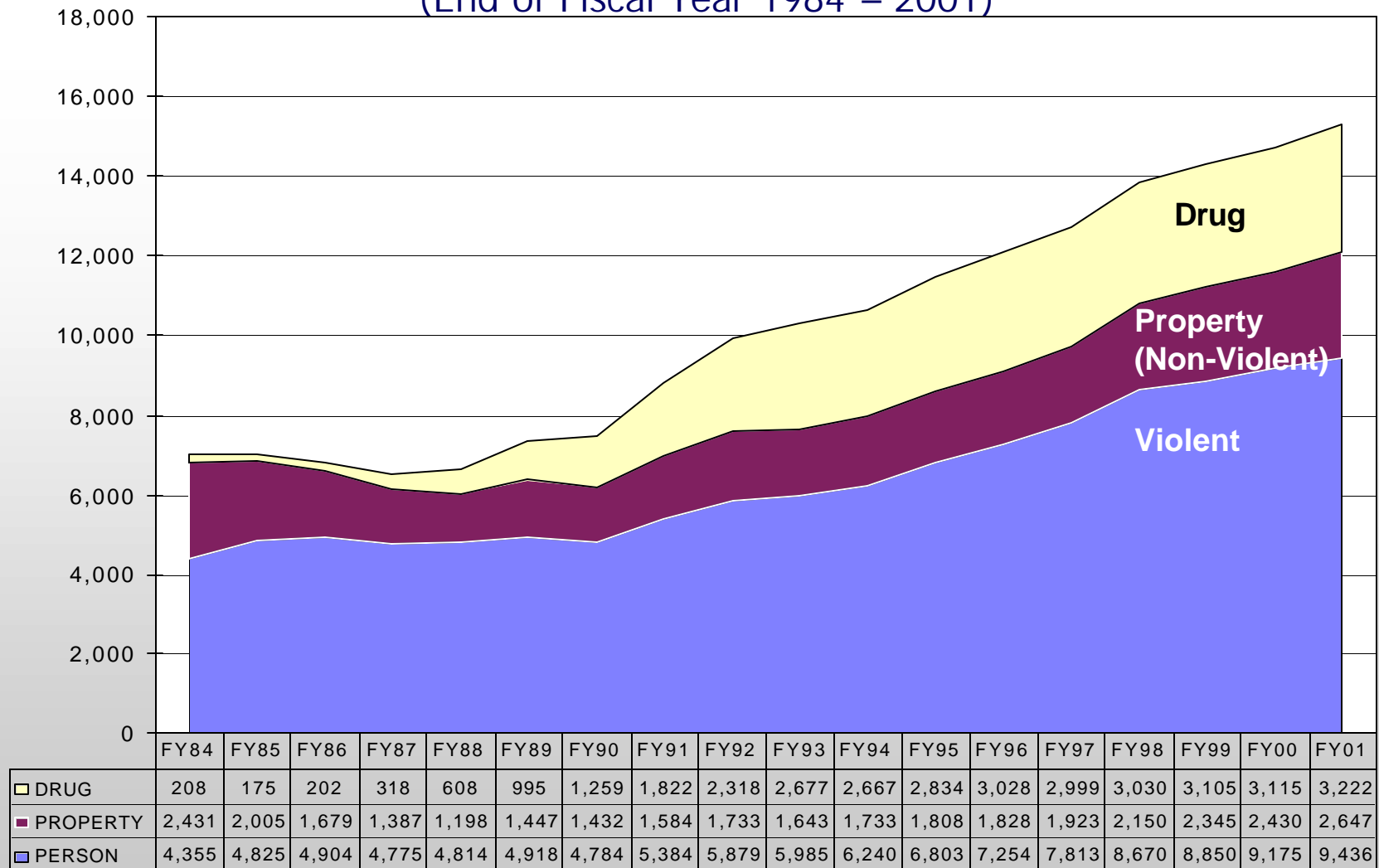
Cumulative Effects of Criminal Justice Legislation in Washington State 1986 - 2002 Sessions



Source: Caseload Forecast Council. This summary of criminal justice legislation was based on the impact analyses contained in the original fiscal notes for the bills. The analyses should be considered policy numbers only, without demographic adjustments and other factors, with a few exceptions.

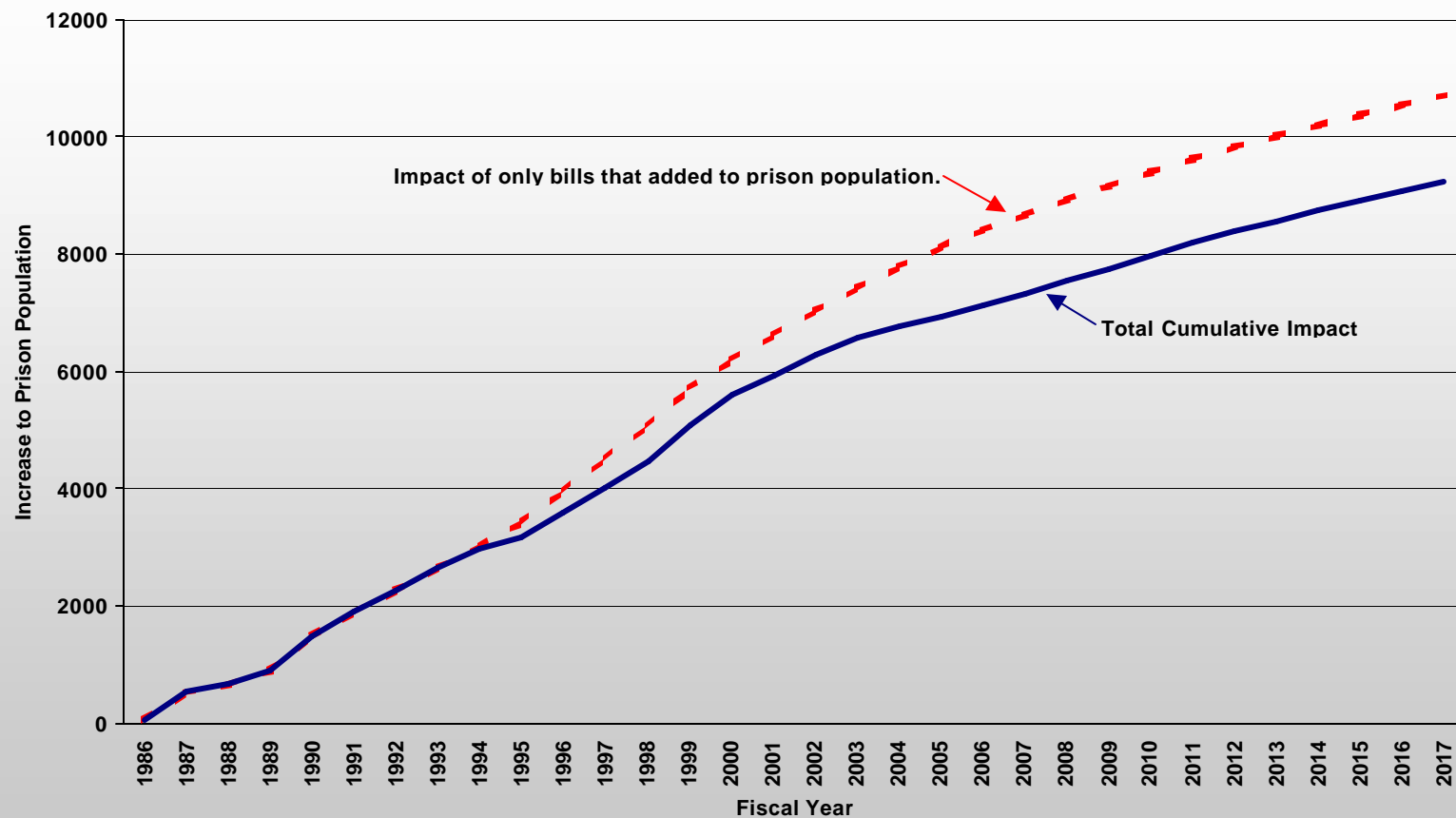
Changes in sentencing have also changed the makeup of the prison population.

Growth and Change in the Prison Population
(End of Fiscal Year 1984 – 2001)



Without some sentencing alternatives, the impact of sentencing changes would be greater.

Summary Cumulative Effects of Criminal Justice Legislation in Washington State
1986 - 2002 Sessions



Source: Caseload Forecast Council.

In 2002, the Legislature reduced some drug sentences and dedicated the bulk of the projected savings to expanded drug treatment for offenders.

2SHB 2338:

- Reduces narcotic drug dealing on the seriousness level from VIII to VII and eliminates triple scoring of prior drug offenses (except for meth-related offenses, and for persons with a serious violent or sex offense in their history).
- In July 2004, a new drug grid is established for the sentencing of most felony drug offenders.
- Beginning in 2003-05, savings is transferred for drug treatment, including drug courts, divided between the state and counties. Annual transfers may not exceed a cap of \$8.25 M grown by inflation.

Supervision Trends & Impacts

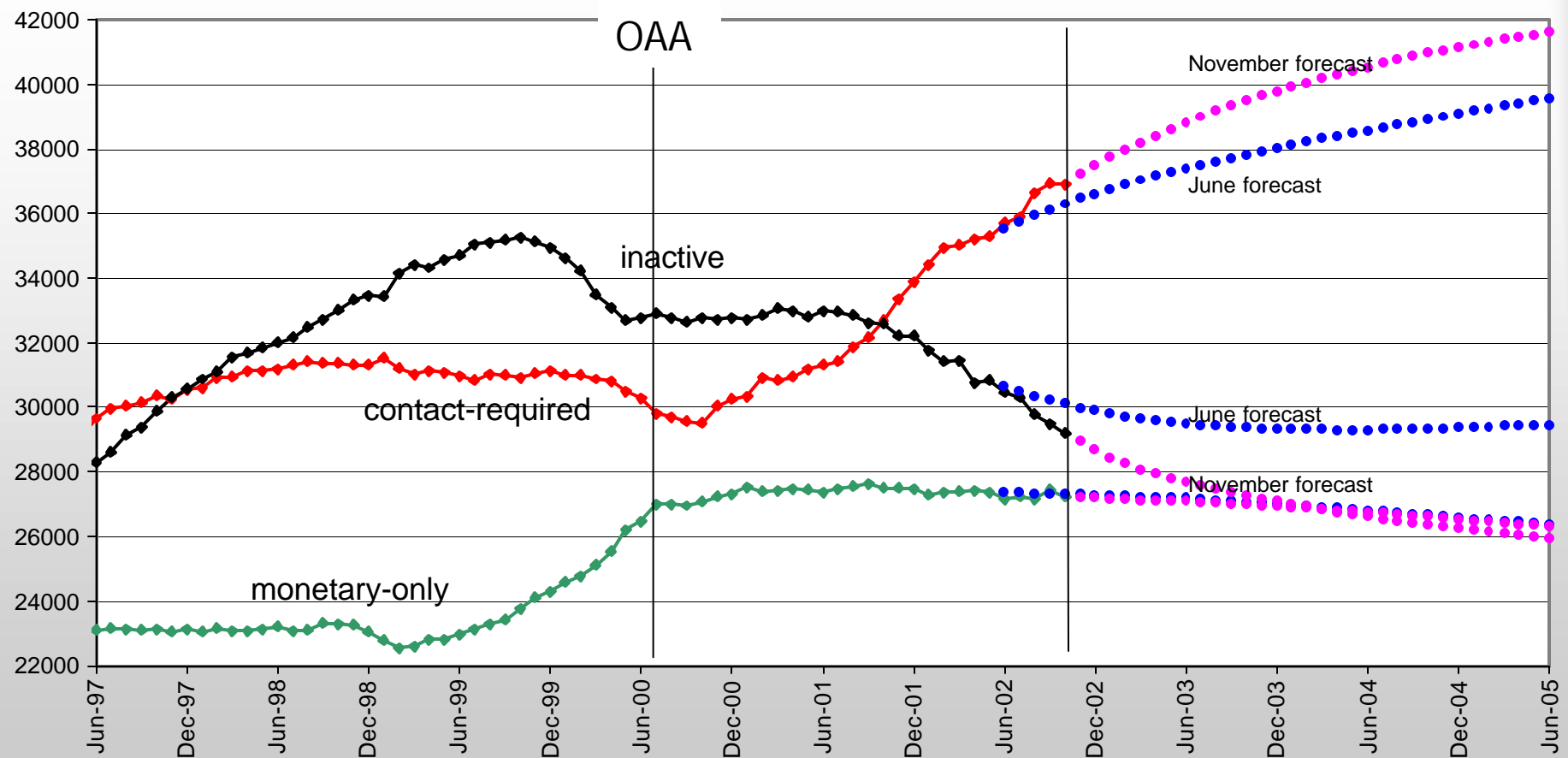
In 1999, the Legislature moved to improve the accountability of offenders on supervision.

The Offender Accountability Act (OAA):

- Expanded the number of offenders sentenced to community custody.
- Expanded risk assessment as a tool for use in setting length and level of supervision.
- Allowed DOC and the courts to impose affirmative conditions during supervision, such as treatment.
- Shifted the violation responsibility from the courts to DOC.
- Violations result in graduated sanctions, including jail time or return to prison.

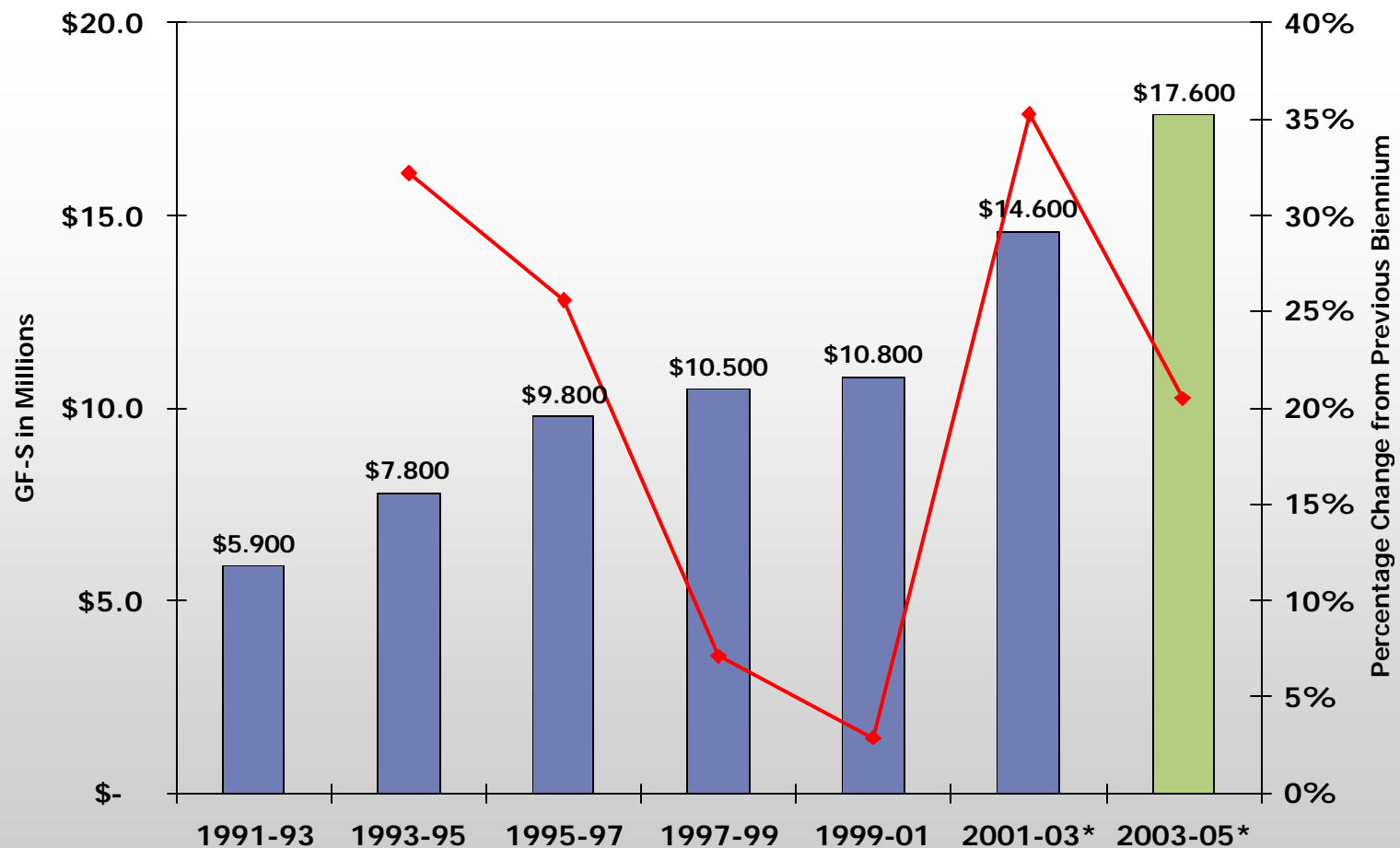
Since the OAA, contact-required caseloads are steadily increasing, although other supervision caseloads are decreasing.

Community Supervision Population Forecast by Category



Source: Caseload Forecast Council.

Spending on supervision has grown by over 35 percent since the implementation of the OAA.



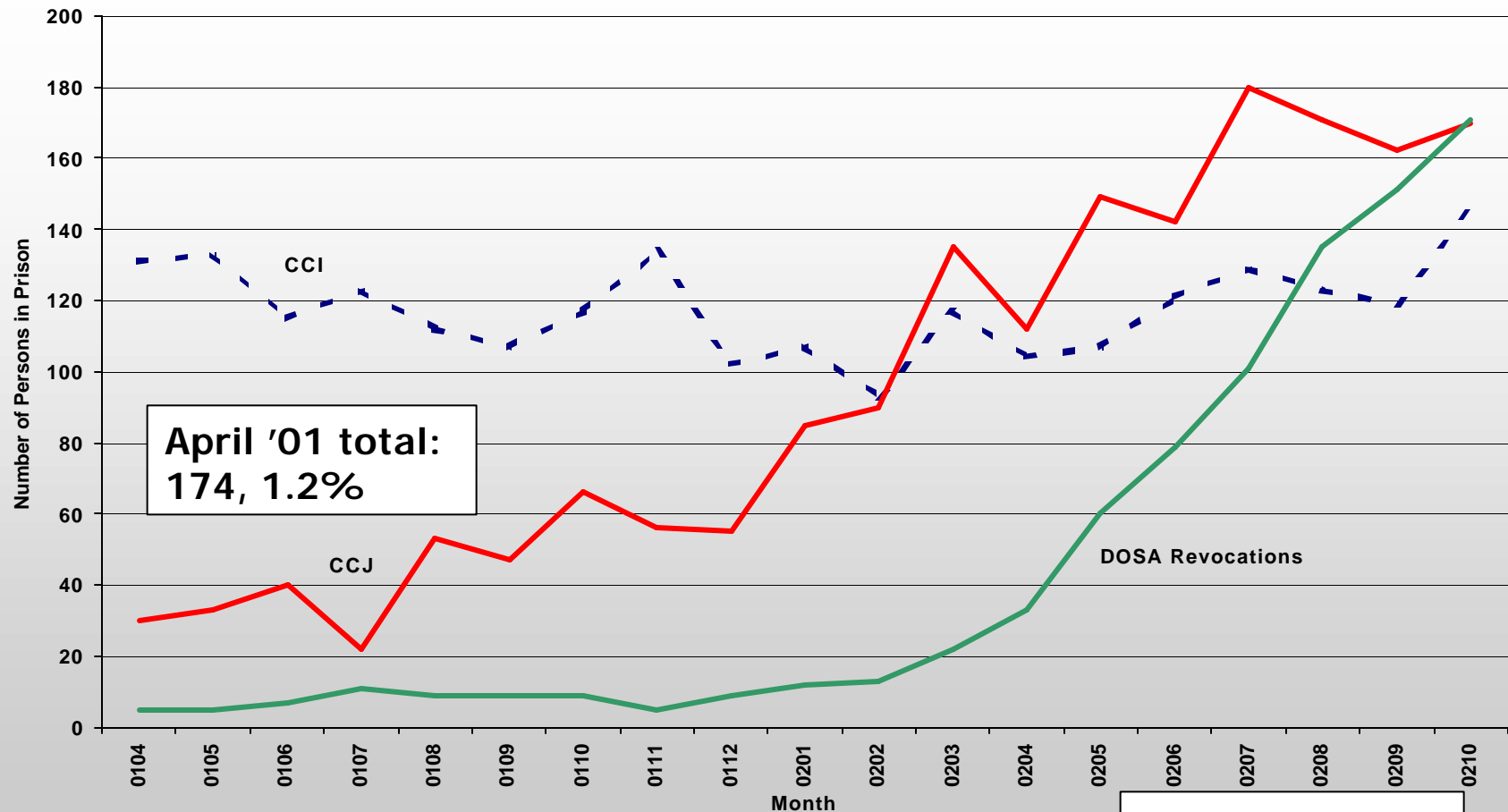
* The 2001-03 and 2003-05 biennia amounts do not include compensation related items.

* 2003-05 is the Governor's proposed maintenance level.

* 2001-03 amounts do not reflect the 2003 supplemental, which will increase 2001-03 and could decrease 2003-05.

Supervision violators are a growing percent of inmate population.

Violator Populations



Source: Caseload Forecast Council.

Governor's Policy Proposals

The Governor's 2003-05 budget proposal mitigates \$100 M in workload growth with major policy changes.

Department of Corrections				
Policy Changes in the Governor's 2003-05 Budget				
(Dollars in Millions)				
			FTEs	GF-S
Program Reductions				
	1	Administrative Reductions	(200)	(11)
	2	Sentencing and Earned Early Release Changes	(174)	(47)
	3	Shift Monetary Only Collections to DSHS (Net Savings)	(42)	(4)
Program Eliminations				
	1	Low/Moderate Risk Supervision	(360)	(47)
	a	RM-C Supervision (2,000 prison dispositions)	(53)	(7)
	b	RM-D Supervision (1,000 prison dispositions)	(9)	(1)
	c	RM-C and RM-D Supervision (21,500 jail dispositions)	(298)	(39)
Total			(776)	(109)

The Governor's 2003-05 Capital Budget relies on policy changes to reduce population.

Funds \$210 M total, including:

- \$158 M for 768 close custody & 100 IMU beds at the State Penitentiary.
- \$0.5 M for 60 minimum security beds at Mission Creek.

Not funded:

- Expansion of Coyote Ridge to 768 beds by FY 08.
- 280 more minimum beds at Monroe and Airway Heights.
- Adding these back would cost \$15 M in 03-05, & \$125 M in 05-07.

Achieving savings from reduced caseloads in Corrections in '03-05 requires retroactive or immediate proposals:

- Supervise fewer offenders.
 - Discontinue monetary only.
 - Discontinue or reduce low or moderate risk.
 - Use alternatives, such as electronic monitoring.
- Incarcerate fewer offenders.
 - Expand Earned Early Release.
 - Release inmates from sentences 30 days early.
 - Resentence based on new sentencing law.

Juvenile Offenders

The Governor's 2003-05 budget for Juvenile Rehabilitation increases mental health funding but eliminates truancy funding to counties.

		Dollars in Thousands		
		FTEs	GF-S	Total
2001-03 Estimated Expenditures		1,224	165,644	234,239
2003-05 Carryforward Level		1,164	160,426	228,609
Maintenance Changes:				
	Mandatory Workload Adjustments	24	-573	-2,267
	Mental Health Needs	6	738	738
	Other	0	3,459	3,472
Total Maintenance Changes		30	3,624	1,943
2003-05 Maintenance Level		1,194	164,050	230,552
Policy Changes:				
	Eliminate Funding to Courts for Truancy Petitions	0	-7,132	-7,132
	Staff Reductions & Operating Efficiencies	-31	-1,382	-1,400
	Other	0	1,701	200
Total Policy Changes		-31	-6,813	-8,332
Total 2003-05 Biennium		1,164	157,237	222,220

Achieving savings in Juvenile Rehabilitation could include:

- Further reductions in parole services, with a an additional shift to research-based therapies.
- Utilization of local capacity/sentencing changes.
- Consolidation/closure of units or institutions.

End of Presentation